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March 12, 2003

SB198 – Clarifies provision governing advances to budget accounts supported by administrative assessments. (BDR 31-604)

My name is Dana Howry, Program Officer III for the Nevada Highway Patrol – Criminal History Repository. I am here on behalf of my Bureau Manager, Daryl Riersgard, who is currently testifying on another issue today and regrets he could not be here in person.

I am here to present testimony on the non-support of the proposed changes to NRS 353.359 Section 1, as submitted under Senate Bill 198.

As you are aware the Criminal History Repository's mandated functions are supported with Court Assessments. Both in FY 2002 and this current fiscal year, the Court Assessments have not been actualized as budgeted.

In FY 2002, Court Assessments were budgeted at \$4,043,281; the Court Assessments actualized were \$3,681,665. This created a deficit of \$361,616. It was necessary to access the general fund under NRS 353.359 in this instance.

With regards to the current fiscal year, the Criminal History Repository is budgeted to receive \$4,430,204. The current actualized Court Assessments are \$2,134,720. This represents a current shortfall of approximately 10% of budgeted over actual, in the amount of \$449,565.

If SB198 moves forward, this will only allow the Repository to access the general fund for the amount of \$336,940, leaving an unfunded amount of \$112,625.

Logically, this would necessitate curtailment of expenses. I would like to touch on what these curtailments would mean to the law enforcement community:

- Reduction of staff:

This would necessitate the prioritizing of a large workload for which there is currently insufficient staff to manage. This means the Repository would be unable to process misdemeanor arrest information.

A few effects of not processing misdemeanor arrest information would be:

- There will be no means for law enforcement to know of previous criminal arrests and therefore would not be able to use the fingerprint database
- For resolution of crime, courts would not be able to sentence properly; second or third time offenders would appear to be first time offenders in the eyes of the judge
- Local law enforcement would not be able to search latent fingerprints for crime solving
- With a useless fingerprint database law enforcement lives would be placed in jeopardy

This is just one example.

These staff reductions have the potential to affect other Public Safety Divisions:

- Reduction of technology

- Programming hours would have to be cut
- This would impact Public Safety Technology Division staffing levels, as programmers would have to be laid off.
- In addition, the ramifications of not moving forward with much needed technology would put us further behind in our workloads, creating additional backlogs with insufficient Repository staff to process the work.

In a nutshell, the Repository has both an unreliable and inadequate funding source with Court Assessments. In essence, SB198 would remove the safety net that keeps the Repository functioning during these difficult economic times and any future economic downturn.

The Repository is respectfully requesting that the Senate Committee on Finance does not support the revision to NRS 353.359 Section 1 as outlined in SB 198.

Thank you for allowing me to testify today.